

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

EDWARD FULTON,)	
)	
Plaintiff,)	CASE NO. C12-1965-JLR
)	
v.)	
)	REPORT AND RECOMMENDATION
ALLSTATE CORP.,)	
)	
Defendants.)	
_____)	

Plaintiff Edward Fulton, proceeding *pro se*, submitted an application to proceed *in forma pauperis* (IFP) and a proposed complaint to this Court for review. (Dkt. 1.) On November 15, 2012, the Court found the IFP application to provide an incomplete picture of plaintiff's financial status and directed plaintiff to complete and return an IFP application within twenty days of the Court's Order. (Dkt. 3.) The Court indicated that failure to comply with the Court's directive in a timely manner may result in denial of plaintiff's motion to proceed IFP. On December 3, 2012, the Court's Order was returned to the Court as undeliverable, indicating it was unclaimed and unable to be forwarded. (Dkt. 4.)

01 To date, plaintiff has not submitted a complete application to proceed IFP, the filing fee,
02 or an updated address. As plaintiff has had ample time to comply with the IFP/filing fee
03 requirement and to advise the Court of his current address, but failed to do so, the Court
04 recommends that the instant action be DISMISSED without prejudice for failure to prosecute.
05 *See* LCR 41(b)(2) (“If mail directed to a pro se plaintiff by the clerk is returned by the Postal
06 Service, or if email is returned by the internet service provider, and if such plaintiff fails to
07 notify the court and opposing parties within 60 days thereafter of his or her current mailing or
08 email address, the court may dismiss the action without prejudice for failure to prosecute.”) A
09 proposed Order accompanies this Report and Recommendation.

10 DATED this 5th day of February, 2013.

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13 Mary Alice Theiler
14 United States Magistrate Judge
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